

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: By **CHAIRMAN DON RYAN**, on January 3, 2005 at 3:00 P.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Sen. Don Ryan, Chairman (D)
Sen. Gregory D. Barkus (R)
Sen. Jerry W. Black (R)
Sen. Jim Elliott (D)
Sen. Kim Gillan (D)
Sen. Bob Hawks (D)
Sen. Sam Kitzenberg (R)
Sen. Jesse Laslovich (D)
Sen. Jeff Mangan (D)
Sen. Dan McGee (R)
Sen. Bob Story Jr. (R)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Lois O'Connor, Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: Organizational Meeting
December 30, 2004
Executive Action: None.

{Tape: 1; Side: A; Time Counter: 0.2}

COMMITTEE DISCUSSION:

Following Committee member and staff introductions, **SEN. DON RYAN** requested that Committee members provide a brief synopsis of their views on both the positive and negative aspects of Montana's educational system. Committee comments are as follows:

- (1) Montana has well-trained professionals who have done a good job educating its young people, but it is slowly losing ground because it does not meet the accreditation standards set forth by the "No Child Left Behind Act" and because the Montana Supreme Court has ruled that changes must be made to Montana's educational system.
- (2) The lack of resources has forced changes to Montana's educational system, particularly in the area of increased class sizes.
- (3) Montana's educational system is administratively top heavy.
- (4) The Committee should focus on teachers and provide them with proper educational platforms and facilities.
- (5) There should be a coordination of benefits and school districts to provide an equal opportunity to all Montana students.
- (6) Teachers should be provided with performance standards for recognizing differences, abilities, and learning styles of Montana's students with the understanding that class size will dictate the quality of education in the classroom.
- (7) It is hard to force school consolidation, particularly in rural Montana communities, because, often times, when a school closes, so does the community.
- (8) Money is not always the solution for a quality education and educational reform is needed to consolidate Montana's school districts because of the severe loss of students.
- (9) The school funding mechanism is too complicated and needs to be simplified.
- (10) In order to provide equal educational opportunities for all Montana students as stated by Montana's Constitution, the Committee must be creative to provide a basic educational system in order for the term "quality" education to become manifested.
- (11) A study or survey should be conducted to limit the number of school administrators per section of land or population, for example; and teacher salaries must be addressed in order to acquire and retain quality teachers.
- (12) Committee members should be cautious in trying to answer the problems of Montana's educational system too rapidly to avoid putting future legislatures in a box that they may not be able to get out of and to avoid putting Montana taxpayers on the hook for its cost.

- (13) The Board of Public Education sets the standards which dictates what level of funding the Legislature must provide. The relationship between the Legislature and the Board must be reviewed along with the constitutional authority of the local school boards.

Committee members also praised the makeup and expertise of the Committee and its staff in the areas of professional and legislative experience and geographical location.

{Tape: 1; Side: B; Time Counter: 7.3}

Connie Erickson, Research Analyst, Legislative Services Division, provided an overview of staff services available to Committee members and information on the "Basic System of Quality Schools".

[EXHIBIT\(eds01a01\)](#)

[EXHIBIT\(eds01a02\)](#)

FURTHER COMMITTEE DISCUSSION:

Committee members discussed the use of proxy votes. **SEN. SAM KITZENBERG** will be responsible for Republican-member proxy votes while **SEN. KIM GILLAN** will be responsible for Democrat-member proxy votes. All proxy votes will be turned in to the Secretary for purposes of the Committee record.

SEN. RYAN said that no Executive Action will be taken on legislation unless the sponsor is present.

Committee members will also be provided information on the Montana Supreme Court decision regarding school funding and the legal opinion from **Greg Petesch, Director of Legal Services, Legislative Services Division**, regarding the Constitutional Convention language surrounding a "quality education".

ADJOURNMENT

Adjournment: 3:50 p.m.

SEN. DON RYAN, Chairman

Lois O'Connor, Secretary

DR/LO

Additional Exhibits:

EXHIBIT ([eds01aad0.PDF](#))